

PECKAR & ABRAMSON, P.C.
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Attorneys for Defendants

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

EARLE REFINING, LLC,

Case No. 3:22-cv-04469-GC

Plaintiff,

ECF CASE – Electronically Filed

vs.

NEW VACUUM TECHNOLOGIES LLC and
NORTH JERSEY PETROLEUM
OPERATIONS, LLC,

**NOTICE OF MOTION TO STAY
THE ACTION OR IN THE
ALTERNATIVE TO DISMISS THE
COMPLAINT FOR FAILURE TO
JOIN INDISPENSABLE PARTIES**

Defendants.

PLEASE TAKE NOTICE that, upon the Complaint, the Declaration of Kevin J. O'Connor, Esq., with exhibits, the prior filed Declaration of Joseph Laura, with exhibits attached thereto, and the accompanying Memorandum of Law in Support of Motion, Defendants New Vacuum Technologies, LLC (“NVT”) and North Jersey Petroleum Operations, LLC (“NJPO” and, with NVT, collectively (“Defendants”), by their attorneys, Peckar & Abramson, P.C., will move this Court, at the United States District Court, 402 East State Street Office Room 2020, Trenton, New Jersey 08608, before the Honorable Robert Kirsch, U.S.D.J., on June 20, 2023, for an Order staying the Complaint pursuant to the Federal Arbitration Act, 9 U.S.C. §§ 1 *et seq.* (“FAA”) for a period of ninety (90) days or in the alternative dismissing the Complaint for failure to join indispensable parties.

LAW OFFICES

**Peckar &
Abramson**

A Professional Corporation

PLEASE TAKE FURTHER NOTICE that answering and reply papers to this motion shall be served in accordance with Local Rule 7.1 of this Court.

Dated: May 19, 2023

PECKAR & ABRAMSON, P.C.

By: /s/ Kevin J. O'Connor
KEVIN J. O'CONNOR, ESQ.
70 Grand Avenue
River Edge NJ 07661
201-343-3434
Attorneys for Defendants

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DECLARATION OF SERVICE

I state upon penalty of perjury that on May 19, 2023, a true and correct copy of the within Notice of Motion with accompanying documentation was served by ECF.

Dated: May 19, 2023

PECKAR & ABRAMSON, P.C.

By: /s/ Kevin J. O'Connor
KEVIN J. O'CONNOR, ESQ.
70 Grand Avenue
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